

And my view is that the Marshall resolution is part of a larger effort to create more redtape and less flexibility in American healthcare.

Now, I have been talking to a lot of Oregonians about many issues over the last few months. And I can just say, nobody has come up to me in one of our iconic Fred Meyer stores or to a town-hall meeting and said, "Hey, Ron, we need more healthcare redtape."

I want to be specific about what this means. The Marshall resolution will make it harder to keep waivers on the books that have helped resolve critical shortages of healthcare providers in hospitals overwhelmed with sick patients. The policies allowed under the national emergency have also helped address shortages of medical supplies needed to treat patients and protect medical workers.

Looking at the bigger picture, the Marshall resolution is part of a broader effort by Republicans to wipe out a host of important policies that have saved lives and helped our healthcare system stay afloat over the last few years.

This larger effort by Republicans, for example, could make it harder for people to get hospital quality services provided at home where they are most comfortable. There is a risk it would lead to a whole lot of vulnerable Americans losing coverage through Medicaid.

Taken together, that is a recipe for chaos in American healthcare and serious headaches for millions of patients who would have their coverage and their care upended.

Nobody is saying that emergency policies that began in the pandemic are going to stick around forever. Changes do have to be handled responsibly. And what we try to do in the Finance Committee is work in a bipartisan way.

So, colleagues, in my view, this Republican effort—and it has been what we have been debating now again and again—comes down to less flexibility and more chaos in American healthcare, and that sounds like an idea the U.S. Senate ought to avoid.

That begins with voting down the Marshall resolution. My sense is this is also exactly the wrong time to start undermining important healthcare flexibilities. Doctors and public health experts—we have all read these articles—are telling us this is going to be a painful flu season. We are hearing this across the country. Hospitalizations, colleagues, for the flu are already surging.

At the same time, there is a huge wave of RSV infections across the country. That is particularly serious for infants and toddlers. It can be a big problem for adults, too. Many pediatric hospitals are overwhelmed. The flu and RSV are hitting just as the country braces for possibly another COVID wave during the winter.

Congress ought to be looking here to support medical workers, protect our healthcare system from becoming to-

tally overwhelmed by viruses, and save lives. The Marshall resolution and this broader Republican effort that we have been hearing about on the floor to eliminate healthcare flexibilities does the opposite.

An earlier version of this Marshall resolution passed back in the spring because some Members were absent for the vote.

Colleagues, this is going nowhere in the other body.

Now, I will close by saying there are serious healthcare issues that deserve bipartisan attention here in the Senate. For example, Democrats and Republicans on the Finance Committee, many of them have been working with Democrats in a very thoughtful way for months on improving mental healthcare in America.

We are very proud on the Finance Committee that four major provisions of our bipartisan work that we put in a year and a half on came out to be the back letter text on mental health in the gun safety legislation. So we want to work in a constructive way. You see that with mental health. Members on the Finance Committee come forward with good ideas. That is the kind of work we ought to be doing on healthcare.

My view is the Marshall resolution is a partisan step in the wrong direction. I think it is a mistake for American healthcare at this crucial moment to reduce flexibility for government to deal with the challenges. I oppose the Marshall proposal.

I yield the floor.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

VOTE ON S.J. RES. 63

The PRESIDING OFFICER. Under the previous order, the joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. MARSHALL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Georgia (Mr. WARNOCK) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Nebraska (Mr. SASSE).

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 36, as follows:

[Rollcall Vote No. 355 Leg.]

YEAS—62

Barrasso	Cassidy	Cruz
Blackburn	Collins	Daines
Blunt	Cornyn	Ernst
Boozman	Cortez Masto	Fischer
Braun	Cotton	Graham
Burr	Cramer	Grassley
Capito	Crapo	Hagerty

Marshall	Scott (SC)
McConnell	Shaheen
Moran	Shelby
Murkowski	Sinema
Murphy	Sullivan
Paul	Tester
Portman	Thune
Risch	Tillis
Romney	Toomey
Rosen	Tuberville
Rounds	Warner
Rubio	Wicker
Schumer	Young
Scott (FL)	

NAYS—36

Baldwin	Feinstein	Ossoff
Bennet	Gillibrand	Padilla
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Hirono	Sanders
Cantwell	Kelly	Schatz
Cardin	Leahy	Smith
Carper	Lujan	Stabenow
Casey	Markey	Van Hollen
Coons	Menendez	Warren
Duckworth	Merkley	Whitehouse
Durbin	Murray	Wyden

NOT VOTING—2

Sasse Warnock

The joint resolution (S.J. Res. 63) was passed, as follows:

S.J. RES. 63

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, pursuant to section 202 of the National Emergencies Act (50 U.S.C. 1622), the national emergency declared by the finding of the President on March 13, 2020, in Proclamation 9994 (85 Fed. Reg. 15337) is hereby terminated.

The PRESIDING OFFICER. The senior Senator from Ohio.

MORNING BUSINESS

Mr. BROWN. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Madam President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Washington, DC.

Hon. ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 22-69, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Switzerland for defense articles and services estimated to cost \$700 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

AARON HARDING

(For James A. Hursch, Director).

Enclosures.

TRANSMITTAL NO. 22-69

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Switzerland.

(ii) Total Estimated Value:

Major Defense Equipment * \$600 million.

Other \$100 million.

Total \$700 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment:

Up to seventy-two (72) PATRIOT Advanced Capability (PAC) 3 Missile Segment Enhanced (MSE) Missiles.

Non-MDE: Also included are telemetry kits; PAC-3 MSE missile round trainers; PAC-3 MSE empty round trainers; PAC-3 missile skid kits; launcher stations heater controls; classified missile repair and return; classified PAC-3 concurrent spare parts; unclassified PAC-3 concurrent spare parts; PAC-3 MSE canister consumables; quality assurance; Field Surveillance Program; U.S. Government and contractor technical, engineering, and logistics technical assistance; flight test support; flight test targets; and other related elements of logistics and program support.

(iv) Military Department: Army (SZ-B-UCA).

(v) Prior Related Cases, if any: SZ-B-UAS.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: November 15, 2022.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Switzerland—PATRIOT Advanced Capability (PAC) 3 Missile Segment Enhanced (MSE) Missiles

The Government of Switzerland has requested to buy up to seventy-two (72) PATRIOT Advanced Capability (PAC) 3 Missile Segment Enhanced (MSE) missiles. Also included are telemetry kits; PAC-3 MSE missile round trainers; PAC-3 MSE empty round trainers; PAC-3 MSE skid kits; launcher stations heater controls; classified missile repair and return; classified PAC-3 concurrent spare parts; unclassified PAC-3 concurrent spare parts; PAC-3 MSE canister consumables; quality assurance; Field Surveillance Program; U.S. Government and contractor technical, engineering, and logistics technical assistance; flight test support; flight test targets; and other related elements of logistics and program support. The total estimated cost is \$700 million.

This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the security of a friendly European nation that continues to be an important force for political stability and economic progress within Europe.

The proposed sale of the PAC-3 MSE missiles will enhance the capability of Switzerland's PATRIOT missile defense system. Switzerland will use the PATRIOT system and missiles to defend its territorial integrity and for regional stability. The proposed sale supports Switzerland's goal of improving national and territorial defense as well as interoperability with U.S. and NATO forces. Switzerland will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be Lockheed Martin, Dallas, Texas. The purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will require approximately five (5) U.S. Government and five (5) contractor representatives to travel to Switzerland for an extended period for equipment de-processing/fielding, and technical and logistics support.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 22-69

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The PATRIOT Advanced Capability (PAC) 3 Missile Segment Enhanced missile is a small, highly agile, kinetic kill interceptor for defense against tactical ballistic missiles, cruise missiles and air-breathing threats. The MSE variant of the PAC-3 missile represents the next generation in hit-to-kill interceptors and provides expanded battlespace against evolving threats. The PAC-3 MSE improves upon the original PAC-3 capability with a higher performance solid rocket motor, modified lethality enhancer, more responsible control surfaces, upgraded guidance software, and insensitive munitions improvements.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

3. If a technologically advanced adversary were to obtain knowledge of the hardware and software elements, the information could be used to develop countermeasures or equivalent systems, which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Switzerland can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Switzerland.

TRIBUTE TO CHERYL M. BLACK

Mr. REED. Madam President, I request unanimous consent to enter into a colloquy with the Senator from Okla-

homa. As the chairman and ranking member of the Senate Armed Services Committee, we rise to commemorate and celebrate the distinguished career of Ms. Cheryl M. Black of the Department of Defense.

Mr. INHOFE. For 43 years, Ms. Black has served the Nation with honor and professionalism. Now, as she retires from her position as Deputy Director, General and Flag Officer Matters in the Office of the Deputy Assistant Secretary of Defense for Military Personnel and Policy, we are privileged to thank her for her four decades of service.

Mr. REED. A native of California, Cheryl joined the Army in 1977 and worked at every echelon since, to include the U.S. Army Military Personnel Center; Immediate Office of the Secretary of the Army; the Army Office Legislative Liaison. After retiring from the Army in 1998, Cheryl served on the personal office staff of Senator John Warner and then went back to her roots at the Department of Defense in 2001, where she has served as the Deputy Director General and Flag Officer Matters. In every assignment, she was known to her colleagues as a dedicated leader and an expert of her craft.

Mr. INHOFE. During Cheryl's time with the Department of Defense, she worked diligently to ensure every general and flag officer recommended for promotion or appointment was thoroughly vetted prior to a nomination being submitted to the Secretary of Defense, the President, and the Congress for confirmation. Because of her dedication to our general and flag officer corps, we all live in a safer and more prosperous nation.

Mr. REED. Cheryl did not serve alone, however. Throughout her career, she was supported by her family, friends, and colleagues. We owe a special debt of gratitude to Cheryl's son, Damion, and his family, who supported her with strength and love. Her contributions to the Nation were possible because of their support.

Mr. INHOFE. Mr. President, we are proud to honor the achievements of Ms. Cheryl Black, and on behalf of a grateful nation, we salute her 43 years of service to our great Nation. We offer her our thanks and congratulate her on a well-earned retirement.

TRIBUTE TO LIEUTENANT COLONEL NATHAN H. KITZKE

Mr. REED. Madam President, I rise today to honor a great American and an exceptional member of the U.S. Air Force.

Lt. Col. Nathan "Nate" Kitzke has distinguished himself through his professional character and dedication by serving this Nation in uniform. A leader and expert communicator, he has provided distinguished service to our country while assigned to the Air Force Senate Liaison Office. He is an outstanding leader and a great airman to represent the Air Force on Capitol